

**IN THE UNITED STATES DISTRICT COURT
for the EASTERN DISTRICT OF TEXAS**

ASHLEY FRITTS,

PLAINTIFF,

VS.

AZIZA ALI,

VICAR ALI, and

VSS INCORPORATED dba

THE GODDARD SCHOOL – MARIETTA II,

DEFENDANTS.

Case No. _____

Jury Trial Demanded

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

COMES NOW Ashley Fritts, Plaintiff in the above-styled matter, by and through her undersigned counsel, and files this, her Complaint for Employment Discrimination. In support of said Complaint, Plaintiff shows this Honorable Court as follows:

PARTIES AND JURISDICTION

1. Plaintiff is a natural person residing in Bartow County, Georgia.
2. Defendant Aziza Ali is a natural person residing in Gregg County, Texas.
3. Defendant Vicar Ali is a natural person residing in Fulton County, Georgia.
4. Defendant VSS Incorporated is a business entity whose principal place of business is located at 345 Lum Crowe Road, Roswell GA 30075.
5. Defendant VSS Incorporated does business as The Goddard School – Marietta II, located at 3584 Providence Road, Marietta GA 30062.
6. Plaintiff brings this action for employment discrimination pursuant to Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§200e, as amended by the Pregnancy of Discrimination Act of 1978 (PDA).

7. Plaintiff duly filled a Charge with the Equal Opportunity Commission in January 2020.
8. Plaintiff received a Notice of Right to Sue from the Equal Employment Opportunity Commission on or about February 11, 2022.
9. For the Court's convenience, Plaintiff's Notice of Right to Sue is attached hereto as "Exhibit A."
10. This Complaint for Employment Discrimination is filed before the expiration of ninety (90) days following the issuance of Plaintiff's Notice of Right to Sue.
11. Jurisdiction is proper in this Court.

FACTS

12. The Goddard School – Marietta II is a daycare facility for pre-school aged children.
13. In late summer 2018, Plaintiff began working full-time at The Goddard School – Marietta II under owner-operators Vicar Ali and Aziza Ali as the Assistant School Director.
14. At that time, The Goddard School – Marietta II, through Vicar Ali and Aziza Ali – promised Plaintiff both increased compensation as well as health insurance contingent upon a favorable performance review following the first 90 (ninety) days of employment.
15. From the outset, Plaintiff noticed and voiced to Vicar Ali and/or Aziza Ali many issues at The Goddard School – Marietta II, including but not limited to:
 - a. Routinely requiring teachers to work overtime then drastically cutting hours to avoid paying for such overtime;
 - b. Widespread failure to adhere to the promulgated teacher-to-student ratios (resulting, at times, in students being injured due to overwhelmed teachers and poor supervision); and

- c. Falsifying information provided to corporate (i.e., unqualified teachers being instructed to communicate to corporate that such teachers worked as assistant teachers when, in fact, such teachers were hired as “lead” teachers);
16. In or around December 2018, The Goddard School – Marietta II, through Vicar Ali and Aziza Ali, began postponing Plaintiff’s performance review.
17. Upon information and belief, The Goddard School – Marietta II, through Vicar Ali and Aziza Ali, repeatedly postponed Plaintiff’s performance review primarily to avoid following through with their prior agreement to increase Plaintiff’s compensation and to provide Plaintiff health insurance.
18. To this end, when Plaintiff got a manicure or wore different shoes, Vicar Ali and/or Aziza Ali would state that if Plaintiff could afford “nails and shoes,” she could afford health insurance without their involvement or assistance.
19. Also upon information and belief, The Goddard School – Marietta II repeatedly postponed Plaintiff’s performance review in response to Plaintiff’s characteristic voicing of concerns about wage fraud, teacher morale, and student safety.
20. Approximately one year after Plaintiff’s hire at The Goddard School -Marietta II, on August 28, 2019, Plaintiff fainted and required hospitalization.
21. Plaintiff learned while hospitalized that Plaintiff was pregnant and expecting a child.
22. Plaintiff almost immediately informed Vicar and Aziza of Plaintiff’s pregnancy.
23. The very next morning, on August 29, 2019, The Goddard School – Marietta II, through Vicar Ali and Aziza Ali, wrongfully terminated Plaintiff’s employment.
24. In the termination meeting, Vicar Ali and Aziza Ali stated that Plaintiff was “just not committed” to the school any longer.

25. Plaintiff never received an unfavorable performance evaluation while working at The Goddard School – Marietta II.
26. In fact, as noted above, Plaintiff never received a performance evaluation at all, as Vicar Ali and Aziza Ali postponed it repeatedly until the time of Plaintiff's wrongful termination.
27. Plaintiff was never written up and never received any disciplinary action in connection with her employment at The Goddard School – Marietta II.
28. Nothing changed with respect to Plaintiff's employment at The Goddard School – Marietta II immediately prior to Plaintiff's wrongful termination with the exception of her pregnancy announcement.

CAUSES OF ACTION

29. The Civil Rights Act of 1964, as codified, 42 U.S.C. §§200e, as amended by the Pregnancy of Discrimination Act of 1978 (PDA), prohibits discrimination based on pregnancy with regard to any aspect, term, or condition of employment.
30. VSS Incorporated, doing business as The Goddard School – Marietta II – maintains at least 15 employees and, as such, is within the employers covered by the statute.
31. Plaintiff was pregnant at the time of her termination and thus falls into the class of persons protected by the Pregnancy Discrimination Act.
32. Plaintiff was qualified for her job and had been hired based on these qualifications.
33. Plaintiff experienced disparate treatment due to her status as a pregnant woman.
34. Plaintiff was ultimately terminated because of her status as a pregnant woman, immediately after revealing her pregnancy.
35. Plaintiff brings this action for pregnancy discrimination under the Pregnancy Discrimination Act.

DAMAGES

36. Plaintiff seeks compensatory damages of no less than \$50,000 (fifty thousand dollars) and up to the maximum amount allowed by law.

37. Such damages include but may not be limited to:

- a. back pay;
- b. front pay;
- c. lost benefits; and
- d. other pecuniary losses stemming directly from the wrongful termination.

38. Defendants were wanton, reckless, intentional, and/or callous with respect to their sudden termination of Plaintiff.

39. Thus, Plaintiff also seeks punitive damages in an amount to be determined by this Honorable Court and/or a jury of her peers.

40. Defendants have also been stubbornly litigious.

41. Plaintiff also requests that her attorney's fees, litigation costs, and other expenses be awarded for Defendants' stubborn litigiousness.

PRAYER

42. Plaintiff prays:

- a. That this Complaint for Employment Discrimination be served upon the Defendants;
- b. That this matter be heard before a jury of her peers;
- c. That this Court issue judgment for Plaintiff's damages;
- d. That Plaintiff be compensatory damages and made whole for the events forming the subject matter hereof;
- e. That Plaintiff be awarded punitive damages for the callous and wanton conduct of the Defendants;
- f. That Plaintiff be awarded her attorney's fees, litigation costs, and other expenses; and
- g. That Plaintiff receive all other relief to which she is entitled under applicable law.

This 12th day of May, 2022

by: WILLIAMS LEGAL GROUP, LLC

A handwritten signature in black ink, appearing to read 'Raqueta Williams', is written over a horizontal line. The signature is stylized and cursive.

Raqueta D. Williams
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Georgia Bar No. 591631
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ATTORNEY FOR PLAINTIFF

EXHIBIT A

EEOC Form 161-B (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE *(ISSUED ON REQUEST)*

To: **Ashley Fritts**
10 Chitwood Cove Road
White, GA 30184

From: **Atlanta District Office**
100 Alabama Street, SW ,Suite 4R30
Atlanta ,Georgia ,30303

EEOC Charge No.
410-2020-04060

EEOC Representative
Robyn Conley,
Federal Investigator

Telephone No.
470-531-4779

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

More than 180 days have passed since the filing of this charge.

The EEOC is terminating its processing of this charge.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



Enclosures(s)

Darell E. Graham,
District Director

2/11/2022
(Date Mailed)

cc: **Raqueta D. Williams, Esq.**
180 Interstate North Pkwy SE
Suite 510
Atlanta, GA 30339

Vic S Ali
Owner
THE GODDARD SCHOOL
3584 Providence Rd
Marietta, GA 30062

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this **Plaintiff's Complaint for Employment Discrimination** was forwarded to all known parties and/or their counsel, if known, in accordance with the applicable Rules of Civil Procedure.

This 12th day of May, 2022

by: **WILLIAMS LEGAL GROUP, LLC**

A handwritten signature in black ink, appearing to read 'Raqueta Williams', is written over a horizontal line. The signature is stylized and cursive.

Raqueta D. Williams

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